

From: Kenneth Bork <Ex. 6 - Personal Privacy>
Date: April 5, 2015 at 6:08:45 PM PDT
To: "blumenfeld.jared@epa.gov" <blumenfeld.jared@epa.gov>
Subject: California UIC Aquifer Exemptions for Existing Oilfields
Reply-To: Kenneth Bork <Ex. 6 - Personal Privacy>

Dear Administrator Blumenfeld:

1. Why is one of California's largest employers, the oil industry, being punished by EPA for a **mistake made by a government agency** (Calif. Division of Oil and Gas)?
2. Why is EPA and other government agencies (California State Water Resources Control Board, California Division of Oil and Gas, OAL, RWQCB) imposing a **job-killing emergency regulation** timeline on California's oil industry to try and correct the State government's ineptitude?
3. Why are the **non-exempt aquifers, which are geologically connected to the aquifer's exempted by EPA in 1983**, now suddenly considered US Drinking Waters by EPA?
4. Why doesn't EPA follow common sense, basic science, and the **Code of Federal Regulations in 40 CFR 146.4(b)(1)** and allow these aquifers to be USDW-exempted immediately **while** EPA reviews and approves the exemption applications?
5. Why are **oil-hating special interest groups** such as *Center for Biological Diversity, The Los Angeles Times, Sierra Club, National Resource Defense Council*, and others making **false, malicious, and mean-spirited claims** about damage to aquifers even though there has been no documented damage to an aquifer since the 1983 EPA aquifer exemptions?

As a voting citizen of the State of California I urge you, Administrator Blumenfeld and EPA, to stop the worker layoffs, stop a major decrease in tax revenue to California, and stop over-regulation of an industry that supplies low cost domestic energy to California businesses, the driving public, single-family homes, elementary schools, and hospitals.

I strongly urge EPA to stop this misguided shutdown of jobs related to aquifer exemptions within existing oilfields that are geologically connected to the 1983 aquifer exemption boundaries approved by EPA as allowed by 40 CFR 146.4(b)(1). Why not let the oil industry continue to produce oil, under the current stringent regulations, while the EPA reviews the exemption applications?

Sincerely,
Kenneth R. Bork

Ex. 6 - Personal Privacy

Dear Mr. Bork,

I am writing in response to your email communication with EPA Regional Administrator Blumenfeld regarding EPA's oversight of the California Division of Oil and Gas (DOGGR) and their regulation of oil and gas related injection wells in California.

As you note, we have become aware of instances where DOGGR has mistakenly authorized injection into aquifers that were not exempted under the Safe Drinking Water Act (SDWA). EPA's March 9, 2015 letter to the State (DOGGR and the State Water Resources Control Board), which I am attaching to this email message, addresses this situation, and describes a series of activities that the State must carry out to return the injection well control program to compliance with federal statutes and regulations. The requirements and timelines contained in EPA's March 9th letter were developed in consultation with DOGGR and the State Water Board, and we believe they reflect a reasonable approach to getting the State back into compliance.

We are aware that there are different perspectives about the best path forward, and that some consider these timelines too aggressive, while others find them too lenient. The compliance plan reflected in EPA's March 9th letter allows most injection wells to continue operating while the formal processing of an aquifer exemption proceeds. However, in those instances where the State determines that operating injection wells may be adversely impacting existing water supply wells, we support the State taking action to close down those wells for public health protection.

As your message notes, there are specific EPA regulations that govern the exemption of an aquifer, and any aquifer exemption must adhere to the criteria and process described in those regulations. A key element of the process is ensuring that members of the public have an opportunity to express their views – whether in support or opposition – on any additional proposed aquifer exemptions in the State.

I hope this information is helpful. Please don't hesitate to contact me if you have additional questions or concerns moving forward.

Sincerely,

David Albright